

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Laurie Ortolano)
Plaintiff,)
v.) Civil Action No. 1:22-cv-00326-LM
The City of Nashua, *et al.*,)
Defendants.)

**ASSENTED-TO MOTION FOR EXTENSION OF
TIME TO FILE RESPONSIVE PLEADINGS**

Defendants The City of Nashua, New Hampshire, James Donchess, Mayor of the City of Nashua, New Hampshire, Kimberly Kleiner, Administrative Services Director of the City of Nashua, New Hampshire, John Griffin, Chief Financial Officer of the City of Nashua, New Hampshire, Jonathan Duhamel, former Chief Assessor of the City of Nashua, New Hampshire, Steven Bolton, Corporation Counsel of the City of Nashua, New Hampshire, Celia K. Leonard, Deputy Corporation Counsel of the City of Nashua, New Hampshire, Michael Carignan, former Chief of Police of the City of Nashua, New Hampshire, Frank Lombardi, current Sergeant of the Police Department of the City of Nashua, New Hampshire, by their respective counsel and with Plaintiff's assent, respectfully request that the Court set a responsive pleading deadline of November 18, 2022 in this matter for all Defendants, as follows:

1. On August 23, 2022, Plaintiff filed a verified Complaint. The Complaint contained 198 numbered paragraphs, in addition to a preliminary statement.
2. On September 6, 2022, Mayor Donchess was served with process pursuant to Rule 4(j)(2)(A) of the Federal Rules of Civil Procedure, as the chief executive officer of the City of Nashua. Based upon Rule 12(a) of the Federal Rules of Civil Procedure, a responsive pleading would be due on September 27, 2022.

3. In addition, other defendants in this matter have received Notices of a Lawsuit dated August 29, 2022, along with a proposed Waivers of Service of Summons, pursuant to Rule 4(d) of the Federal Rules of Civil Procedure. Undersigned counsel executed Waivers on behalf of their respective clients, making responsive pleadings due, under Rule 12(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, on October 28, 2022.

4. Given the length of the Complaint and the complexity of the task of responding, there is good cause for this extension to allow counsel and their clients to adequately respond. Further, by setting one deadline, the tracking of responsive pleading deadlines will be simplified for all parties and the Court.

5. This extension will not unduly delay this proceeding or unduly prejudice any party to this case.

6. Pursuant to Local Rule 7.1(a)(2), given the nature of the relief sought and Plaintiff's assent, no memorandum of law is submitted in support of this Motion.

7. Pursuant to Local Rule 7.1(c), undersigned counsel spoke with Plaintiff's counsel, who expressed assent to the relief requested by this Motion.

WHEREFORE, Defendants respectfully request that the Court:

- A. Grant this Motion;
- B. Extend the deadline for responsive pleadings to November 18, 2022; and
- C. Issue any further relief the Court deems just and proper.

Respectfully submitted,

**JAMES DONCHESS, MAYOR OF THE
CITY OF NASHUA, NEW HAMPSHIRE
JOHN GRIFFIN, CHIEF FINANCIAL
OFFICER OF THE CITY OF NASHUA, NEW
HAMPSHIRE**
By Their Attorneys,

RATH, YOUNG AND PIGNATELLI, PC
One Capital Plaza
Concord, NH 03301
(603) 226-2600

Dated: 9/21/22

/s/ Adam B. Pignatelli

Michael A. Pignatelli, NH Bar #2026

map@rathlaw.com

Adam B. Pignatelli, NH Bar #20211

abp@rathlaw.com

**THE CITY OF NASHUA, NEW HAMPSHIRE
FRANK LOMBARDI, CURRENT SERGEANT
OF THE POLICE DEPARTMENT OF THE
CITY OF NASHUA, NEW HAMPSHIRE
MICHAEL CARIGNAN, CHIEF OF POLICE
OF THE CITY OF NASHUA, NEW
HAMPSHIRE
JONATHAN DUHAMEL, FORMER CHIEF
ASSESSOR OF THE CITY OF NASHUA, NEW
HAMPSHIRE**
By Their Attorneys,

CULLEN COLLIMORE, PLLC
37 Technology Way, Suite 3W2
Nashua, NH 03060
(603) 881-5500

Dated: 9/21/22

/s/ Brian Cullen

Brian Cullen, NH Bar #11265

bcullen@cullencollimore.com

**STEVEN BOLTON, CORPORATION
COUNSEL OF THE CITY OF NASHUA
CELIA LEONARD, DEPUTY CORPORATION
COUNSEL OF THE CITY OF NASHUA**
By Their Attorneys,

UPTON AND HATFIELD, LLP
150 Middle Street
Portsmouth, NH 03801
(603) 436-7046

Dated: 9/21/22

/s/ Russell Hilliard
Russell Hilliard, NH Bar #1159
rhilliard@uptonhatfield.com

KIMBERLY KLEINER
By Her Attorneys,

Friedman Feeney, PLLC
95 North State Street Suite #5
Concord, NH 03301
(603)-783-5105

Dated: 9/21/22

/s/ Dona Feeney
Dona Feeney, NH Bar #12854
dfeeney@friedmanfeeney.com

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been served through the Court's CM/ECF system.

Dated: 9/21/22

/s/ Adam B. Pignatelli
Adam B. Pignatelli